



## Notice of Privacy Practices

### **THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.**

**PLEASE REVIEW IT CAREFULLY.** Effective 04/14/2003

The Mississippi State Department of Health (known as MSDH), must by law keep your health information private and give you notice of its legal duties and privacy practices for your health information. If you have questions about any part of this notice or if you want more information about the privacy practices at MSDH, please contact:

Mississippi State Department of Health  
Privacy Officer  
570 East Woodrow Wilson Drive  
Jackson, MS 39216  
(601) 576-7400

### **I. How MSDH May Use or Disclose your Health Information**

In certain situations, which will be described in Section II below, we must obtain your written authorization in order to use and/or disclose your protected health information (PHI). However, we do not need any type of authorization from you for the following uses and disclosures of your PHI (including, if any, your HIV/AIDS related, genetic information, sexual transmitted disease or tuberculosis information):

1. Treatment. We use and disclose PHI to physicians, nurses and other health care personnel who provide you with health care services or are involved in your care. In addition, we may contact you to provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may be of interest to you. We may also disclose PHI to other providers involved in your treatment.

2. Payment. We may use and disclose PHI to obtain payment for services that we provide to you. For example, disclosures to claim and obtain payment from your health insurer, HMO or other company that arranges or pays the cost of some or all of your health care to verify that **Your Payor** will pay for health care. You should be aware if you are not the policy holder, certain information may be disclosed to the policy holder by the insurance carrier.

3. Health care operations. We may use and disclose PHI for our health care operations, which include internal administration and planning and various activities that improve the quality and cost effectiveness of care that we deliver to you. For example, we may use PHI to evaluate the quality and competence of our physicians, nurses and other health care workers. We may disclose PHI to our administrative staff to conduct medical reviews, needs assessment, and to check quality control of services available.

We may also provide PHI to your other health care providers when such PHI is required for them to treat you, receive payment for services they render to you, or conduct certain health care operations, such as quality assessment and improvement activities, reviewing the quality and competence of health care professionals, or health care fraud and abuse detection or compliance.

4. Information provided to you. MSDH allows you to look at your medical records. You must make the request in writing. If we do not have your PHI but we know who does, we will tell you how to get it.

5. Notification and communication with family. We may disclose PHI to a family member, your personal representative or any other person identified by you responsible for your care about where you are, your general condition or if you die. If you are able and can agree or object, MSDH will give you a chance to object prior to making this notification. If you are unable or cannot agree or object, our health professionals will use their best judgment in telling your family and others.

6. Required by law. As required by law, we may use and disclose your PHI.

7. Public health. We may disclose your PHI to public health authorities for purposes related to: preventing or controlling disease, report child abuse or neglect, reporting domestic violence, reporting to the Food and Drug Administration problems with products and reactions to medications, and reporting disease or infection exposure.

8. Health oversight activities. We may disclose your PHI to health agencies during the course of audits, investigations, inspections, licensure and other proceedings.

9. Judicial and administrative proceedings. We may disclose your PHI in the course of any administrative or judicial proceeding.

10. Specialized government functions. We may disclose your PHI for the military, national security, correctional institutions and government benefits purposes.

11. Law enforcement. We may disclose your PHI to a law enforcement official for purposes such as identifying or locating a suspect, fugitive, material witness or missing person, complying with a court order or subpoena and other law enforcement purposes.

12. Deceased person information. We may disclose your PHI to coroners, medical examiners and funeral directors.

13. Research. We may disclose your PHI to researchers doing research that has been approved by MSDH.

14. Public safety. We may disclose your PHI to prevent or lessen a serious and imminent threat to the health or safety of a particular person or the general public.

15. Worker's compensation. We may disclose PHI as necessary to comply with worker's compensation laws.

## **II. When MSDH May Not Use or Disclose Your Health Information**

Except as described in this Notice of Privacy Practices, MSDH will not use or disclose your health information without your written authorization. If you do authorize MSDH to use or disclose your PHI for another purpose, you may take back your authorization in writing at any time.

## **III. Your Health Information Rights**

1. You have the right to ask for restrictions on certain uses and disclosures of your PHI. MSDH does not have to agree to the restriction that you request.

2. You have the right to get your PHI through a reasonable alternative means or at an alternative location. You must present an MSDH form which tells your specific request. There will be a charge to get this information.

3. You have the right to see and obtain a copy of your PHI. Under limited circumstances, we may deny you access to a portion of your records. (You should take note that, if you are a parent or legal guardian of a minor, certain portions of the minor's medical record will not be accessible to you including records relating to pregnancy, abortion, sexually transmitted disease, substance use and abuse, and contraception and/or family planning services.) You must submit a completed MSDH Release of Information form. If you request copies, we will charge you a \$10.00 fee plus \$0.25 for each page.

4. You have the right to request that MSDH change your PHI that is not correct or complete. MSDH does not have to change your PHI if we feel that the information is correct or other special circumstances apply.

5. You have a right to get a list of disclosures of your PHI made by MSDH, except for disclosures for: 1. treatment, 2. payments, 3. health care operations 4. information provided to you, 5. certain government functions of Section I of this Notice of Privacy Practices during any period of time prior to the date of your request provided such period does not exceed six years and does not apply to disclosures that occurred prior to April 14, 2003.

## **IV. Changes to this Notice of Privacy Practices**

MSDH reserves the right to change this Notice at any time in the future, and to make the new provisions effective for all information that it keeps, including information that was created or received prior to the date of such change. Until such change is made, MSDH must comply with this notice. If we change this Notice, we will post the new notice in waiting areas and on our internet site at [www.msdh.state.ms.us](http://www.msdh.state.ms.us) and have copies available upon your request.

## **V. Complaints**

Complaints about this Notice of Privacy Practices or how MSDH handles your PHI should be sent to:

Mississippi State Department of Health  
Privacy Officer  
570 East Woodrow Wilson Drive  
Jackson, MS. 39216

If you are not satisfied with the manner in which this office handles a complaint, you may submit a formal complaint to:

Department of Health and Human Services  
Office of Civil Rights  
Hubert H Humphrey Bldg.  
200 Independence Avenue, S.W.  
Room 509F HHH Building  
Washington, DC 20201